

State of California
Business, Transportation and Housing Agency
Department of Transportation

MASS TRANS FINANCIAL MATTERS
Local STIP Rail/Transit Allocations
Resolution: MFP-02-10

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Original Signed By

ROBERT L. GARCIA
Chief Financial Officer
August 1, 2002

FINANCIAL ALLOCATION
LOCAL STATE TRANSPORTATION IMPROVEMENT PROGRAM RAIL/TRANSIT
PROJECT

RESOLUTION MFP-02-10

RECOMMENDATION

The California Department of Transportation (Department) recommends the California Transportation Commission (Commission) approve the following resolution, allocating a total of \$800,000 in State Highway Account (SHA) funds, and/or Public Transportation Account (PTA) funds, contingent on the passing of Budget Act of 2002, for one (1) Local State Transportation Improvement Program (STIP) Rail/Transit project on the attached Vote List.

FINANCIAL RESOLUTION

Resolved That:

A total of \$800,000 in State Highway Account (SHA) funds, and/or Public Transportation Account (PTA) funds, programmed in the 2002 STIP, be allocated to the Recipient for the project on the attached Vote List. The project, as component phases or in their entirety, appear on the necessary State capital projects funding list and are entitled to participate in this allocation.

The Recipient is committed to providing any required local matching funds and to fully fund implementation of the project in compliance with grant funding requirements and Commission policy. For acquisitions of rail right-of-way properties, the Recipient has performed, with diligence, the process of identification and remediation of any hazardous waste in the right-of-way, easements and properties, in accordance with the Commission's established "Hazardous Waste Identification and Clean-up Policy" (Resolution G-91-2).

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing local assistance grant projects, and is governed by the terms and conditions of the Master Agreement (MA), and subsequent Program Supplement (PS), as executed between the Recipient and the Department.

The Recipient shall provide the Department with quarterly expenditure plans by category including any proposed changes for the balance of all funded project allocations commencing with the first quarter.

In the event that the recipient, or successor public entities, fail or cease to utilize the Project's properties for the intended public transit purposes or sell or transfer title of the Project, this Commission shall be entitled to a then present value refund, or credit, at State's option, equivalent to the proportionate funding

participation by the State towards the Project. The credit due the Commission in each instance, will be measured by the ratio of State and other public funding to that provided from Recipient. That ratio will be applied to the fair market value of the Project's property.

The Recipient may enter into a contract for the entire amount programmed for this project. The Recipient will request allocation of the remaining funds as programmed, provided that the work to be reimbursed with those future amounts has not started prior to the allocation of the funds. Future allocations for the contract are subject to Commission approval and availability of funds in the year programmed. If funds are not available in the year programmed, the Commission will consider allocations of funds when available.

The Recipient(s) shall provide the Department with notification of contract award within twelve (12) months from the date of this allocation, and must complete the work to be reimbursed and the actual reimbursement within thirty-six (36) months from award of said contract, unless the Commission authorizes a waiver that extends, if permitted by statute, the period of availability of the funds.

Or, Funds allocated for local project development or right of way costs must be expended by the end of the second year following the fiscal year in which the funds were allocated. For local grant projects, the local agency must invoice Caltrans for these costs no later than 180 days after the fiscal year in which the final expenditure occurred unless the Commission authorizes a waiver that extends, if permitted by statute, the period of availability of the funds.

Attachment